

**Minutes**  
**TOWN OF BAR HARBOR**  
**JOINT WORKSHOP**  
**between**  
**TOWN COUNCIL and PLANNING BOARD**

**Wednesday September 23, 2009**  
**6:00 PM**  
**Council Chambers, Municipal Building**  
**93 Cottage Street**  
**Bar Harbor, Maine**

**I. Call to Order**

*Planning Board Members Present: Kevin Cochary, Chair; Lynn Williams, Vice Chair; Buck Jardine, Secretary; Kay Stevens-Rosa, member. Also present: Anne Krieg, Planning Director; Brian Madigan, Staff Planner*

Mr. Cochary called the meeting to order at 6:05pm.

**II. Excused Absences**

There were none.

Ms. Stevens-Rosa arrived at 7:00pm.

**III. Adoptions of the Agenda**

*Ms. Williams move to adopt the agenda as written. Mr. Jardine seconded the motion and the Board voted unanimously to approve the motion.*

**IV. Facilitated discussion by Anne Krieg, Planning Director, of remaining issues with the 2009 Town Hill Mini-Plan**

Ms. Krieg provided an overview of the purpose the joint meeting. She stated that she hoped to have a clear and cohesive direction from both the Town Council and the Planning Board in moving forward with the adoption of the Town Hill Mini Plan. Ms. Krieg then presented a powerpoint presentation which provided an overview of the key issues that are outstanding that she hoped to resolve between the Planning Board and Town Council as result of the Joint Meeting.

The Council and the Planning Board discussed how best to define the meaning of village, and what regulatory tools might be used to control and stimulate certain kinds of growth. The Board and the Council debated the issues of scale and density and

what threshold (in terms of building size) might warrant a more rigorous review process.

Both the Planning Board and Council agreed that the preservation of a sense of a village without sprawl would be optimal for the Town Hill core village area. The Council and the Board discussed the fiscal feasibility of requiring community septic treatment systems rather than the installation of another treatment plant. Counselor Disney commented that knowing the maximum density of housing that could be supported by septic systems for Town Hill would be useful.

Ms. Krieg discussed a build out scenario of Town Hill which was prepared by the Town's consultants. This study noted that under build out conditions Town Hill would likely face water quality issues. Mr. Cochary noted the creation of design standards could be used as a preventative measure to ensure that water quality is maintained.

Ms. Williams and Ms. Stevens-Rosa stated that it is imperative that measurable standards for limiting the size/scale of buildings in Town Hill be implemented in order to allow the Planning Board to make substantial findings of fact when they are reviewing a project. Counselor Veilleux added that he would like to see a value study of the environmental services performed to Northeast Creek completed.

The Board and the Council shared some agreement that new development should match the current character of Town Hill. Counselor Paradis and several other members of the Council were concerned that a situation could arise where a larger building beyond a certain size limitation could fit within the character of Town Hill provided it was designed appropriately.

Counselor Paradis commented that a village needs a grocery store and the building size requirement should allow for this. Counselor Paradis stated the maximum allowable square footage allowed in Town Hill needs to be determined in terms of building size.

Ms. Williams stated that she felt a 12,000 square foot building would be acceptable in Town Hill. The Board and Council debated the possibility of requiring a size cap on buildings in the core village area. They discussed the difference between allowing such size caps in the core village area and permitting larger buildings in the outer limits of the village.

***For the Town Council: Counselor Paradis moved to remove square footage limits in the Mini Plan on page 24 and to direct Staff to look into alternative actions. Mr.***

***St. Germaine seconded the motion. The Council and the Board debated the implications of the motions.***

Ms. Stevens-Rosa stated that she would like to see a clear limit for building square footage in Town Hill. She added that enabling jurisdictional ability and discretion to permit for more creative building design would promote better project outcomes.

Mr. Cochary stated that he would like the size of allowable building square footage constrained in village core area, but expanded outside of the core area. The Planning Board and the Council debated these issues at length.

***For the Town Council: Counselor Paradis modified his first motion and moved to remove the square footage limitation on page 24 of the Town Hill Mini Plan and to direct staff to address scale and appropriateness by developing a conditional permitting process for buildings over 20,000 square feet to allow larger scale development provided that certain conditions are met.***

Mr. Cochary, Ms. Stevens-Rosa, and Ms. Williams agreed that they would like to see the maximum allowable area reduced to 15,000 square feet, however no formal motion was made.

Mr. Cochary stated that he would like to recognize there are a large group of residents who believe the square footage should be reduced below 10,000 square feet.

Ms. Stevens-Rosa stated that she feels the footprint area per structure should not exceed 5,000 square feet within the village area of Town Hill.

***For the Town Council: Counselor Paradis revised his motion to remove the square footage requirement on page 24 of the Town Hill Mini Plan and direct staff to address scale and appropriateness by developing a conditional permitting process for buildings over 15,000 square feet.***

***For the Planning Board: Mr. Jardine moved to adopt the motion verbatim to what the Council approved. Ms. Stevens-Rosa seconded the motion and the Board voted unanimously to approve the motion.***

## **V. Next steps**

### **a. Directions to staff on edits or amendments to document**

Mr. Cochary asked for a study on water and wastewater to make an informed decision on the future of Town Hill.

Counselor Disney asked the Town to conduct a growth study showing how much development is economically feasible in Town Hill given there are likely constraints to septic systems. Mr. Cochary agreed adding that a large-scale study disclosing this information is necessary. He stated that in the interim, a day of consultation from a professional might help identify some of the most key issues.

**b. Confirmation of schedule for future workshops and review time of document if edited**

Ms. Krieg agreed to present Draft II of the Mini Plan to both the Council and the Planning Board in October.

**c. Other Council or Board comments**

There were none.

**VI. Adjournment**

*Ms. Williams moved to adjourn the meeting. Mr. Jardine seconded the motion and the Board voted unanimously to approve the motion. The meeting was adjourned at 9:05pm.*

**Minutes prepared by Staff Planner Brian Madigan for Planning Board Review at their October 7, 2009 meeting**

*Signed as approved:*

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**Clyde L. Jardine, Jr., Secretary**  
**Planning Board, Town of Bar Harbor**

**Date**